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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,270	09/15/2003	Paul Christopher Maddox	SUR-001	9019
7590 Terry McHugh Law Offices of Terry McHugh PMB 560 101 First Street Los Altos, CA 94022			EXAMINER SERROU, ABDELALI	
			ART UNIT 2626	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/662,270	Applicant(s) MADDOX, PAUL CHRISTOPHER	
	Examiner Abdelali Serrou	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 21 is rejected under 35 U.S.C. 101 because it does not fall within one of the four categories patentable subject matter of 35 U.S.C § 101 (process, machine, manufacture, or composition of matter). The recited claim preempts a computer program. Computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical “things.” They are neither computer components nor statutory processes, as they are not “acts” being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program’s functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program’s functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Accordingly, the subject matter of claim 21, and by dependency claims 22-29, is held to be nonstatutory subject matter.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-3, 5-11, 14-15, 18-22, and 24-27, are rejected under 35 U.S.C. 102(a) as being anticipated by Sanfilippo (U.S. 2003/0028564, published on Feb. 6, 2003).

As per claim 1, Sanfilippo teaches:

generating a rules base (inherent in the natural-language engine 104, Fig. 2A) as a mechanism for implementing comparisons ([0019], lines 1-3), including:

(a) defining syntactic rules for associating syntactic categories with individual words within sentence structures (syntactic-semantic composition rules module, [0048], lines 11-12);

(b) defining grammar rules for determining semantic roles of at least some of said words within said sentence structures ([0048], line 14); and

(c) defining property rules for associating semantic properties with particular said words, at least some of said property rules being based upon adjacencies of said words in said sentence structures (inherently disclosed for associating adjectives with particular nouns, as in [Alcoholic Beverage], Table Ia);

enabling applications of said rules base to each of a plurality of said textual items, wherein applying said rules base to a specific said textual item generates an output representative of said syntactic categories and said semantic roles and properties

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determined to be associated with words within sentence structures of said specific textual item (inherent in Natural-Language analysis and semantic information extraction process, Fig. 5A, steps 504-512) ; and

enabling comparison of said output to at least one second output that is representative of syntactic categories and semantic roles and properties determined to be associated with words within sentence structures of another textual item ([019]).

As per claim 2, Sanfilippo teaches assigning syntactic tags to said words within a sentence structures of a specific textual item, said syntactic tags being indicative of said syntactic categories ([0021]).

As per claim 3, Sanfilippo teaches defining ambiguity rules specific to resolving syntactic and semantic ambiguities, including ambiguities relating to uses of pronouns ([0094], wherein words disambiguation is used to build text meaning representation).

As per claim 5, Sanfilippo teaches:

a) using said syntactic rules to form a tagged sequence in which said words are individually tagged with designations of associated said syntactic categories ([0021]);

b) applying said ambiguity rules to said tagged sequence in order to resolve at least some of said ambiguities, thereby providing a resolved tagged sequence ([0050], wherein the tagger 208 assigns a label to each tokenized element in the tokenized text);

c) applying said grammar rules to said resolved tagged sequence to determine said semantic roles of said individually tagged words, thereby providing a role-specific resolved tagged sequence ([0053], lines 1-6) ; and

d) applying said property rules to said role-specific resolved tagged sequence to associate said properties with said words ([0082] and [0083], wherein an argument of a sentence is mapped to subject or object of the sentence).

As per claim 7, Sanfilippo teaches identifying nouns within said sentence structures and for classifying at least some of said nouns as being actors or being participants of actions described by said sentence structures (inherent in the process of extracting the semantic content of a document, [0020], lines 8-10).

As per claim 8, Sanfilippo teaches generating said outputs as semantic feature structures, each said semantic feature structure being indicative of a meaning of each said sentence structure of said textual item to which said rules base is applied in generating said semantic feature structure ([0094], wherein the meaning (semantic) representation of each document is built).

As per claim 9, Sanfilippo teaches identifying actions, actors and participants described in sentence structures of a textual item from which semantic feature structure was generated (inherent in identifying nouns, verbs, adjectives, and events, [0054]).

As per claim 10, Sanfilippo teaches comparing two said semantic feature structures to determine whether said two exceed a threshold that is representative of a level of similarity ([0043], wherein semantic relatedness of each document is measured, scored, and used to rank documents with reference to their relatedness to the reference document).

As per claim 11, Sanfilippo teaches monitoring textual items that are received via the global communications network referred to as the Internet ([0046], lines 5-9).

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As per claim 14, Sanfilippo teaches identifying a document transmitted via a network being monitored (Fig. 1A, and [0046]);

generating a semantic feature structure from said document, including applying predefined rules of syntax to categorize words of said document on a basis of parts of speech and further including applying predefined rules of grammar to associate said categorized words with semantic features of activities described in said document (inherent in deriving semantic structures of documents, [0024], lines5-6);

comparing said semantic feature structure to at least one reference semantic feature structure, including determining similarity between semantic feature structure and each reference semantic feature structure for which the comparing is performed ([0043], wherein semantic relatedness of each document is assessed by measuring the closeness types across each document in the collection and the reference document); and

using determinations of said similarity as a basis for selectively filtering said document (Fig. 4, steps 420-424, wherein documents are filtered based on matching scores).

As per claim 15, Sanfilippo teaches wherein said selective filtering is implemented to determine whether to enable presentation of said document to a user of said network (Fig. 8A, step 820).

As per claims 6 and 18, Sanfilippo teaches associating adjectives with nouns ([0082], wherein a noun is mapped to an adjective).

As per claim 19, Sanfilippo teaches applying predefined ambiguity rules for resolving ambiguities in said sentences, including ambiguities relating to uses of

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pronouns ([0094], wherein words disambiguation is used to build text meaning representation).

As per claim 20, Sanfilippo teaches applying syntax rules (syntactic-semantic composition rules module, [0048], lines 11-12), ambiguity rules ([0094], wherein words disambiguation is used to build text meaning representation), grammar rules ([0048], line 14), and property rules (inherently disclosed for associating adjectives with particular nouns, as in [Alcoholic Beverage], Table Ia).

As per claim 21, Sanfilippo teaches a dictionary of words in which said words are associated with parts of speech ([0052], lines 7-9);

a rules base configured to be cooperative with said dictionary in converting documents to semantic feature structures ([0094], wherein the meaning (semantic) representation of each document is built), said rules base including syntax rules, grammar rules and property rules (see ejection of claim 1);

a parts-of-speech tagger module configured to access said rules base in applying said syntax rules to sentence structures of each said document so as to assign parts-of-speech tags to words of said sentence structure ([0050]);

a grammar-based module operatively associated with said parts-of-speech module and said rules base to apply said grammar rules following assignments of said parts-of-speech tags, said grammar-based module being configured to identify said words of said sentence structures of said document with semantic features of activities described in said sentence structures ([0053], lines 1-6); and

a property-based module operatively associated with said grammar-based module and said rules base to apply said property rules to following applications of said grammar

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rules, said property-based module being configured to assign semantic properties to at least some of said words, wherein at least some assignments of semantic properties are based on adjacencies of particular said words in said sentence structures ([0082] and [0083], wherein an argument of a sentence is mapped to subject or object of the sentence).

As per claim 22, Sanfilippo teaches resolving ambiguities in said sentence structures, including ambiguities relating to use of pronouns ([0094], wherein words disambiguation is used to build text meaning representation).

As per claims 24-25, Sanfilippo teaches a comparison module configured to receive a semantic feature structure that is output from said property-based module and to compare said semantic feature structure to at least one reference structure so as to determine and output similarities (inherent in matching a plurality of documents to a reference document, [0043]).

As per claim 26, Sanfilippo teaches blocking subsequent processing of documents upon detection that semantic feature structures generated as a consequence of said documents exceed a threshold of similarity with respect to one of said reference structures ([0132] and Fig. 8A, wherein, a comparison is performed between a user's query and information available on the web, once a close match is found, the result is presented to the user).

As per claim 27, Sanfilippo teaches preventing presentation of said documents to at least one user of a network within which said documents are transmitted (by directing a user based on his/her query to a book-purchasing site [0131], inherently disclose preventing the user from another site, i.e. wine-purchasing site).

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sanfilippo in view of Kantrowitz et al. (hereinafter Kantrowitz) (U.S. 6,618,697 issued on Sep. 9, 2003).

Sanfilippo teaches all the limitations of claim 3, upon which claim 4 depends. However, Sanfilippo does not explicitly teach rules relating to spelling and idiomatic language.

Kantrowitz in the same field of endeavor teaches rules relating to spelling and idiomatic language (col. 13, lines 23-25).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made combine the rules relating to spelling and idiomatic language of Kantrowitz to the Natural-Language analysis system of Sanfilippo, because Kantrowitz suggests that this would improve spelling accuracy (col. 4, line 52).

Claims 12-13, 16-17, and 28-29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanfilippo in view of Enescu et al. (Hereinafter Enescu) (U.S. 2004/0153305 filed on Feb. 3, 2003).

Sanfilippo teaches all the limitations of claim 11, upon which claims 12 and 13 depend. However, Sanfilippo does not explicitly teach receiving and monitoring instant messages, and electronic mail incoming via the Internet.

Enescu in the same field of invention teaches monitoring instant messages, and electronic mail incoming via the Internet (Abstract).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have added Enescu's feature of monitoring instant messages, and electronic mail incoming via the Internet to the system of Sanfilippo, because Enescu suggests that this would help filtering unsolicited messages ([0001], line 7).

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sanfilippo in view of Hirakawa (U.S. 5,963,941 issued on Oct. 5, 1999).

Sanfilippo teaches all the limitations of claim 21, upon which claim 23 depends. However, Sanfilippo does not explicitly teach a dictionary that includes a thesaurus for identifying synonyms.

Hirakawa in the same field of endeavor teaches a dictionary that includes a thesaurus for identifying synonyms (col. 8, lines 4-22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have added Hirakawa's dictionary of synonyms to the system of Sanfilippo, because Hirakawa teaches that this would enhance the information collection systems by monitoring information available through information networks, and filtering through, only the information requested by the user, col. 1, lines 14-21).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Corston-Oliver et al. (U.S 6,901,402) teach a system for improving the performance of information retrieval-type tasks by identifying the relations of constituents. Liu (U.S 2004/0054521) teaches a text sentence apparatus. Decary et al. (U.S 7,065,483) teach a computer method and apparatus for extracting data from web pages. Mitchell (U.S 2003/0149692) teaches an information extraction system for the electronic assessment of free-form text against a standard for such text in which semantic-syntactic templates prepared from the standard are compared with a semantically-syntactically tagged form of the free-form text, and an output assessment is derived in accordance with the result of this comparison. Emens et al. (U.S 6,493,744) teach automatic rating and filtering of data files for objectionable content.

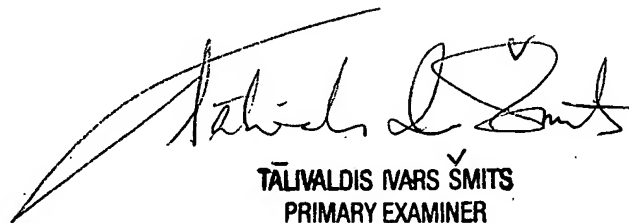
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelali Serrou whose telephone number is 571-272-7638. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis I. Smits can be reached on 571-272-7628. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A. Serrou
4/13/07



TĀIVALDIS IVARS ŠMITS
PRIMARY EXAMINER